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November 14, 2008

Honorable Peter G. Sheridan, U.S.D.J.
United States District Court
M.L.K., Jr. Fed. Bldg. & Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: Elbex Video, Ltd. v. Tyco International, Ltd, et als.
Civil Action No. 06-5178 (PGS) (EMS)

Dear Judge Sheridan:

Enclosed is a letter from my co-counsel, Mr. Littmann, submitting a joint agreement by the parties on the status of the litigation and the scheduling of a technology tutorial on a date in January that Your Honor selects.

All counsel believes that the enclosed letter complies with Your Honor's direction. Counsel would appreciate Your Honor's Deputy Clerk entering a notation on the docket confirming the Court's approval of the contents of the letter.

Sincerely,



Donald A. Robinson

DAR/gd
Enclosure
cc: All Counsel (via e-mail)

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November 14, 2008

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Re: *Elbex v. Tyco and Sensormatic – Case No. 06 cv 5178*

Dear Judge Sheridan:

During the November 10, 2008 teleconference in this case, the Court ordered:

- 1) A technology tutorial will be held before the Court in January 2009 concerning Defendants' Motion for Summary Judgment on the '864 patent;
- 2) Defendants withdraw their Motion for Partial Summary Judgment on the '060 patent, without prejudice to refile after discovery concludes;
- 3) Elbex is permitted to conduct additional discovery regarding Sensormatic's embedded text method of text overlay. In response to the Court's question on the specific discovery needed, Elbex stated that it required document requests and a deposition; and
- 4) The parties shall confer to determine a schedule for the additional discovery leading up to the tutorial.

The parties have conferred and jointly propose the following schedule for the Court's approval. Elbex already has propounded its document requests.

12/9/08: Sensormatic will provide written responses to Elbex's document requests, as well as produce responsive documents

1/9/08: Elbex will conclude discovery by this date

1/13/08: Elbex will inform Sensormatic whether it intends to accuse any products other than Intellex IP of infringement of the '864 patent

Jan/09: Technology tutorial to be scheduled at Court's convenience

*Tutorial scheduled for January 23, 2008 at 1:30pm
Both parties may present or informally discuss case* (PG)

Most sincerely,

Alan E. Littmann

Alan E. Littmann

cc. All counsel, by email

*11/18/08
So Ordered
Peter M. Menden*